

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

UNITED STATES OF AMERICA, :
:
v. : CASE NO: 7:23-CR-65 WLS-TQL-19
:
HAROLD GRAY, :
:
Defendant. :
:

ORDER

Previously, the Court provided the Parties with notice that this case was scheduled for pretrial conference on Wednesday, September 13, 2023, at 3:00 p.m. and for trial on Monday, October 9, 2023 (Doc. 260). In the event the case is not ready for trial, the Parties were ordered to file a motion to continue at least two days prior to the date of the noticed pretrial conference. (*Id.*)

The Defendant, Harold Gray, filed a Motion for Continuance (Doc. 283) (“Motion”). Defendant was indicted on July 12, 2023, and his first appearance occurred on August 17, 2023. Defense Counsel has not yet received discovery and needs sufficient time to review it once she receives it. (Doc. 283). Upon review of discovery, Defense Counsel states that she will draft and file motions and consult with her client. (*Id.*)

Based on the stated reasons, the Court finds that a continuance is required for Defense Counsel to effectively prepare for trial. The Court further finds the ends of justice served by granting such a continuance outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A)-(B). Therefore, Defendant’s Motion for Continuance (Doc. 283) is **GRANTED**. The Court hereby **ORDERS** that the trial in the above-referenced matter be **CONTINUED** to the Valdosta Division February 2024 term and its conclusion, or as may otherwise be ordered by the Court.

Furthermore, it is **ORDERED** that the time lost under the Speedy Trial Act, 18 U.S.C. § 3161, be **EXCLUDED** pursuant to 18 U.S.C. § 3161(h)(7) because the Court has continued the trial in this case and finds that the failure to grant a continuance (a) would likely result in a miscarriage of justice, and (b) would deny Defense Counsel the reasonable time necessary

for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(i), (iv).

Additionally, the September 13, 2023 pretrial conference is **CANCELLED**.

SO ORDERED, this 5th day of September 2023.

/s/ W. Louis Sands

W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT